

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RONALD N. DIEUDONNE,	)	
	)	
Plaintiff,	)	Civil Action No. 10-1523
	)	
v.	)	Judge Gibson
	)	Magistrate Judge Bissoon
KERRI CROSS	)	
	)	
Defendant.	)	

**MEMORANDUM ORDER**

Plaintiff Ronald N. Dieudonne (“Plaintiff”) is a State prisoner presently incarcerated at the State Correctional Institution at Fayette (“SCI-Fayette”), in LaBelle, Pennsylvania. Plaintiff brings this suit against Defendant pursuant to the Civil Rights Act of 1871, 42 U.S.C. § 1983. In his complaint, Plaintiff alleges that Defendant violated his rights under the Sixth, Eighth, and Fourteenth Amendments to the United States Constitution by subjecting him to a constitutionally-deficient misconduct hearing process when he was accused of threatening a psychologist at SCI-Fayette and engaging in an unauthorized group activity. See Compl. (Doc. 6) at 2 and 4; see also Continuation of Compl. (Doc. 6-1) at 1. Plaintiff was granted leave to proceed *in forma pauperis* (“IFP”) on December 3, 2010.

On January 10, 2011, the magistrate judge issued a report and recommendation (Doc. 8), recommending that Plaintiff’s complaint be dismissed *sua sponte* pursuant to the provisions of 28 U.S.C § 1915(e)(2)(B) for failing to state a claim on which relief could be granted. (Doc. 8). The docket reflects that a copy of the report was mailed to Plaintiff at his address of record. Id. Plaintiff was allowed until January 24, 2011, to file objections. As of the date of this writing no objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered.

AND NOW, this 19<sup>th</sup> day of April, 2011,

IT IS HEREBY ORDERED that Plaintiff's complaint (Doc. 6) is DISMISSED.

IT IS FURTHER ORDERED that the magistrate judge's report and recommendation of January 10, 2011 (Doc. 8), is adopted as the opinion of this Court.

BY THE COURT:



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KIM R. GIBSON  
UNITED STATES DISTRICT JUDGE

cc:

**RONALD DIEUDONNE**  
FR-1261  
SCI Fayette  
50 Overlook Drive  
La Belle, PA 15450